

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL LATROY HALL (#303394),

Plaintiff,

CASE NO. 2:10-CV-13109
JUDGE DENISE PAGE HOOD
MAGISTRATE JUDGE PAUL J. KOMIVES

v.

PATRICIA LAMB, et al.,

Defendants,

**ORDER GRANTING PLAINTIFF'S JANUARY 5, 2012 MOTION FOR CONTINUANCE
(Doc. Ent. 27) and SETTING DEADLINES FOR PLAINTIFF'S RESPONSES TO
DEFENDANT LAMB'S PENDING MOTIONS (Doc. Entries 23 and 25)**

A. Background

On August 5, 2010, while incarcerated at Parnall Correctional Facility (SMT) in Jackson, Michigan, Michael LaTroy Hall (#303394) filed this lawsuit against several defendants located at the Lenawee County Jail in Adrian, Michigan. Doc. Ent. 1 at 5.

On October 19, 2010, Judge Hood entered an order (Doc. Ent. 6) dismissing defendants Richardson, Gilbert and Blackmon.¹ On February 28, 2011, Judge Hood entered an order (Doc. Ent. 17) accepting my report and recommendation and dismissing plaintiff's case. She entered judgment in favor of defendant Lamb the same day (Doc. Ent. 18).

However, on September 19, 2011, Judge Hood entered an order (#22) granting plaintiff's motion for relief from judgment, reopening the case, and referring pretrial matters to me.

B. Pending Dispositive Motions

¹Hall was paroled on December 2, 2010. See www.michigan.gov/corrections. "Offender Search;" Doc. Ent. 8.

Currently before the Court is defendant Lamb's September 27, 2011 renewed motion to dismiss in lieu of responsive pleadings (Doc. Ent. 23), wherein she alleges "she has never medically treated Plaintiff Michael Hall." Doc. Ent. 23 at 4; Doc. Ent. 23-1 (Lamb's December 2, 2010 affidavit). Plaintiff's response to this motion was due on November 2, 2011 (Doc. Ent. 24).

Also before the Court is defendant Lamb's November 11, 2011 motion for sanctions (Doc. Ent. 25), wherein she argues that "[p]laintiff [should] be sanctioned for failure to stipulate to dismiss this case, after being provided with admissible evidence demonstrating that Dr. Lamb did not medically treat him at the Lenawee County Jail." Doc. Ent. 25 at 4. Plaintiff's response to this motion was due on January 3, 2012 (Doc. Ent. 26).

To date, plaintiff has not filed a response to either of these motions.

C. Discussion

Apparently, Hall absconded from parole on August 15, 2011. *See* www.michigan.gov/corrections, "Offender Search." Then, on January 5, 2012, Hall filed a one-page "motion for continuance" which states, in its entirety, "[n]ow comes Michael LaTroy Hall, in pro se, and hereby moves this [Court] to grant [his] motion for continuance against defendants [f]or all allegations to be proven in a court environment." Doc. Ent. 27 at 1.

The Court interprets this filing as a request for an extension of time within which to file a response to defendant Lamb's aforementioned pending motions.

D. Order

Upon consideration, plaintiff's January 5, 2012 motion for a continuance (Doc. Ent. 27) is GRANTED. Plaintiff shall have up to and including Monday, April 30, 2012 by which to file separate responses to defendant Lamb's September 27, 2011 renewed motion to dismiss in lieu of

responsive pleadings (Doc. Ent. 23) and defendant Lamb's November 11, 2011 motion for sanctions (Doc. Ent. 25). Any such responses should comply with the Local Rules of this Court. *See, i.e.*, E.D. Mich. LR 7.1 ("Motion Practice").

IT IS SO ORDERED.

The attention of the parties is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of service of a copy of this order within which to file an appeal for consideration by the district judge under 28 U.S.C. § 636(b)(1).

Dated: March 1, 2012

S/Paul J. Komives
PAUL J. KOMIVES
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of this document was sent to

Michael Hall
303394
902 Boyd Drivie #6
Albion, MI 49224

and other parties by electronic and/or U.S. postal mail.